

United States District Court

for

District of South Carolina

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Xavier Javaris Dawkins

Case Number: 6:16CR00368-001

Name of Sentencing Judicial Officer: The Honorable Bruce Howe Hendricks, United States District Judge

Date of Original Sentence: March 21, 2018

Original Offense: Felon in Possession of a Firearm, in violation of 18 U.S.C. §§922(g)(1) and 924(a)(2)

Original Sentence: The defendant was sentenced to 46 months imprisonment followed by a 3-year term of supervised release. The following special conditions were imposed: (1) The defendant shall satisfactorily participate in a drug testing program as approved by the U.S. Probation Office. The defendant shall contribute to the costs of such program not to exceed an amount determined reasonable by the court approved "U.S. Probation Office's Sliding Scale of Services," and shall cooperate in securing any applicable third-party payment, such as insurance or Medicaid; (2) The defendant shall participate in a vocational training program as approved by the U.S. Probation Office; and (3) The defendant shall enroll in and complete an educational program as approved by the U.S. Probation Office, with the objective of obtaining his General Educational Development Certificate, unless already obtained during his period of incarceration. The defendant was also ordered to pay any unpaid balance of the \$100 special assessment fee.

Type of Supervision: Supervised Release

Date Supervision Commenced: February 7, 2022

Assistant U.S. Attorney: Jamie L. Schoen

Defense Attorney: Lora C. Blanchard

Previous Court Action/Notification(s):

The defendant tested positive for amphetamines on March 21, 2022. He was given a verbal reprimand. On March 23, 2022, the Court approved a Report on Offender Under Supervision and agreed with the probation officer's recommendation that the violation be held in abeyance.

On June 22, 2022, the defendant was arrested by the Greenville City Police for Possession of 28 Grams (1 oz.) or Less of Marijuana. On June 28, 2022, the Court approved a Report on Offender Under Supervision and agreed with the probation officer's recommendation that the violation be held in abeyance. The defendant was subjected to increased drug testing.

On July 8, 2022, the defendant was arrested by the Greenville City Police for Driving Under the Influence-First Offense. On July 12, 2022, the defendant pled guilty, and he was sentenced to a \$500 fine. As a result of the supervised release violation, the Court issued a warrant on July 22, 2022.

On November 15, 2022, a Revocation Hearing was held before the Honorable Bruce H. Hendricks, United States District Judge. The defendant was continued on supervision and ordered to complete 30 days of home detention with GPS location monitoring.

On April 21, 2023, the defendant admitted to using marijuana. On April 24, 2023, the Court approved a Report on Offender Under Supervision and agreed with the probation officer's recommendation that the violation be held in abeyance.

On July 25, 2023, the Court approved a Report on Offender Under Supervision. This was in response to the defendant testing positive for amphetamines, methamphetamines, cocaine, and marijuana on July 11, 2023. The Court agreed with the probation officer's recommendation that the violation be held in abeyance, as the defendant would be re-referred to substance abuse treatment.

On September 11, 2023, the Court approved a Report on Offender Under Supervision. This was in response to the defendant testing positive for amphetamines, methamphetamines, and marijuana, on August 30, 2023. The Court agreed with the probation officer's recommendation that the violation be held in abeyance, as the defendant's substance abuse treatment would be increased.

PETITIONING THE COURT

- ☒ To issue a warrant (petition and warrant to remain under seal)
- ☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number

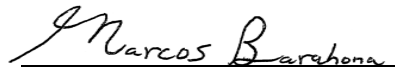
Nature of Noncompliance

- | | |
|---|--|
| 1 | <u>Use/Possession of Illegal Drugs:</u> On March 21, 2022, the defendant tested positive for amphetamines and methamphetamines. The defendant admitted use and signed a voluntary Admission of Drug Use form. This result was confirmed by Abbott Toxicology. |
| 2 | <u>New Criminal Conduct:</u> On June 22, 2022, the defendant was arrested by the Greenville City Police for Possession of 28 Grams (1 oz.) or Less of Marijuana. According to the defendant's attorney, Mr. Dawkins plead guilty, and the case was judicially discharged after Mr. Dawkins completed community service. |
| 3 | <u>New Criminal Conduct:</u> On July 8, 2022, the defendant was arrested by the Greenville City Police for Driving Under the Influence-First Offense. On July 12, 2022, the defendant pled guilty, and he was sentenced to a \$500 fine. |
| 4 | <u>Use/Possession of Illegal Drugs:</u> On April 21, 2023, the defendant admitted to the use of marijuana. On that same date, he signed a voluntary Admission of Drug Use Form. |

- 5 **Use/Possession of Illegal Drugs:** On July 11, 2023, the defendant tested positive for amphetamines, methamphetamines, cocaine, and marijuana. The sample was confirmed positive by Abbott Toxicology Laboratory on July 18, 2023.
- 6 **Use/Possession of Illegal Drugs:** The defendant used and possessed amphetamines, methamphetamines, and marijuana, as evidence by testing positive on August 30, 2023. The sample was confirmed positive by the Abbott Toxicology Laboratory on September 9, 2023.
- 7 **Use/Possession of Illegal Drugs:** The defendant used and possessed methamphetamines, and marijuana, as evidence by testing positive on September 21, 2023. On that same date, the defendant admitted use and signed a voluntary Admission of Drug Use Form.
- 8 **Failure to Complete Substance Abuse Treatment:** On September 14, 2023, and September 26, 2023, the defendant failed to report for individual substance abuse treatment sessions at Addcare Counseling.

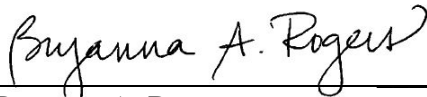
I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 28, 2023



Marcos V. Barahona
U.S. Probation Officer
Greenville Office

Reviewed and Approved By:



Bryanna A. Rogers
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ No action.
- ☐ The issuance of a warrant.
- ☐ **The Petition, Order and Warrant shall remain under seal until served by the United States Marshal Service, or further order of the court. The Clerk shall forward a copy of this signed petition and warrant to the United States Marshal Service, the United States Probation Office, and the United States Attorney's Office, which may share such documents with other law enforcement agencies or other entities or persons as may be necessary to facilitate service thereof. The assigned United States Probation Officer shall contact the United States Marshal Service to coordinate the timely arrest of the defendant at the United States Probation Office if appropriate. Upon arrest, the Petition, Order and warrant may be unsealed by the Clerk.**
- ☐ The issuance of a summons.

BOND CONSIDERATION:

- ☐ Bond to be set at the discretion of the United States Magistrate Judge.
- ☐ No bond to be set.
- ☐ Other (specify):

Bruce Howe Hendricks
U.S. District Judge

Date